

**Date:** August 3, 2004 (revised 9/1/04)

**To:** Court of Appeals Judges, Director of State Courts, Staff Counsel, Clerk's Office Staff

**From:** Cornelia G. Clark, Clerk

**Re:** COURT OF APPEALS MONTHLY STATISTICAL REPORT - JULY

Cumulative: January 1, 2004 through July 31, 2004

APPELLATE DISTRICT	I	II	III	IV	TOTAL
<b>Cases Carried Over</b>					
<b><u>from December 31</u></b>	<u>631</u>	<u>506</u>	<u>339</u>	<u>522</u>	<u>1998</u>
Civil	248	276	197	322	1043
Criminal	383	230	142	200	955
<b><u>Cases Filed</u></b>	<u>584</u>	<u>458</u>	<u>427</u>	<u>500</u>	<u>1969</u>
Civil	265	249	223	292	1029
Criminal	319	209	204	208	940
<b><u>Cases Docketed</u></b>	<u>1215</u>	<u>964</u>	<u>766</u>	<u>1022</u>	<u>3967</u>
Civil	513	525	420	614	2072
Criminal	702	439	346	408	1895
<b><u>Cases Reinstated</u></b>	<u>8</u>	<u>7</u>	<u>3</u>	<u>13</u>	<u>31</u>
Civil	6	5	2	8	21
Criminal	2	2	1	5	10
<b><u>Cases Terminated*</u></b>	<u>473</u>	<u>492</u>	<u>400</u>	<u>491</u>	<u>1856</u>
Opinion-Civil	68	88	93	149	398
Opinion-Criminal	44	57	47	63	211
<b>Sub-Total</b>	112	145	140	212	609
Sum.Disp.-Civil	62	50	33	28	173
Sum.Disp.-Criminal	<u>124</u>	<u>118</u>	<u>70</u>	<u>65</u>	<u>377</u>
<b>Sub-Total</b>	186	168	103	93	550
Memo Opinion-Civil	91	81	76	100	348
Memo Opinion-Criminal	<u>49</u>	<u>41</u>	<u>48</u>	<u>40</u>	<u>178</u>
<b>Sub-Total</b>	140	122	124	140	526
Other-Civil	26	41	29	35	131
Other-Criminal	<u>9</u>	<u>16</u>	<u>4</u>	<u>11</u>	<u>40</u>
<b>Sub-Total</b>	35	57	33	46	171
<b><u>Correction for Error</u></b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>-1</u>	<u>-1</u>
Civil	-4	+3	0	+2	+1
Criminal	+4	-3	0	-3	-2
<b><u>CASES PENDING</u></b>	<u>709</u>	<u>486</u>	<u>379</u>	<u>567</u>	<u>2141</u>
CIVIL	256	270	196	322	1044
CRIMINAL	453	216	183	245	1097

\*Terminations are adjusted to reflect dispositions by panels assigned to cases filed in other districts and cover the "number of cases" terminated.

## CASE ACTIVITY DURING MONTH OF JULY:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
<b>Cases Filed</b>	<u>80</u>	<u>54</u>	<u>70</u>	<u>61</u>	<u>265</u>
Civil	35	36	39	36	146
Criminal	45	18	31	25	119
<b>Cases Terminated</b>	<u>60</u>	<u>55</u>	<u>46</u>	<u>74</u>	<u>235</u>
Opinion-Civil	6	5	8	24	2-1/4, 3-2/4 43
Opinion-Criminal	10	5	5	9	1-3/4 29
Sum.Disp.-Civil	10	2	3	6	21
Sum.Disp.-Criminal	18	14	2-1/2 13	1-1/3 11	1-1/4, 1-3/4 56
Memo Opinion-Civil	9	14	10	7	40
Memo Opinion-Crim.	2	3	4	4	13
Other-Civil	4	11	3	9	27
Other-Criminal	1	1	0	4	6
<b>Cases Reinstated</b>	<u>1</u>	<u>2</u>	<u>0</u>	<u>0</u>	<u>3</u>
Civil	1	1	0	0	2
Criminal	0	1	0	0	1
<b>Correction for Error</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Civil	-1	0	0	0	-1
Criminal	+1	0	0	0	+1
<hr/>					
<b>Notices of Appeal Filed:</b>	<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>TOTAL</b>
<b>One-Judge Appeals:</b>	<u>8</u>	<u>8</u>	<u>9</u>	<u>11</u>	<u>36</u>
Civil	7	5	4	3	19
Criminal	1	3	5	8	17
<b>Three-Judge Appeals:</b>	<u>61</u>	<u>32</u>	<u>51</u>	<u>45</u>	<u>189</u>
Civil	18	18	26	28	90
Criminal	43	14	25	17	99
<hr/>					
<b>Sup. Writs Filed:</b>	6	9	3	2	20
<b>Sup. Writs Terminated:</b>	<u>3</u>	<u>6</u>	<u>2</u>	<u>2</u>	<u>13</u>
Granted	0	0	0	1	1
Denied, Dism'd, Other	3	6	2	1	12
<b>Sup. Writs Pending:</b>	14	12	4	9	39
<hr/>					
<b>Leave to Appeal Filed:</b>	6	5	7	5	23
<b>Leave to Appeal Term'd:</b>	<u>1</u>	<u>5</u>	<u>3</u>	<u>4</u>	<u>13</u>
Granted	0	0	1	2	3
Denied, Dism'd, Other	1	5	2	2	10
<b>Leave to Appeal Pending:</b>	7	7	9	5	28

## ADDITIONAL MATTERS DURING MONTH OF JULY:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
<b>Motions Filed:</b>					
Numbered Cases	147	79	63	117	406
Extensions of Time	68	49	35	48	200
Unnumbered Cases	<u>129</u>	<u>52</u>	<u>35</u>	<u>46</u>	<u>262</u>
TOTAL MOTIONS FILED	344	180	133	211	868
<b>Motions Terminated:</b>					
Numbered Cases	114	62	47	110	333
Extensions of Time	57	55	31	55	198
Unnumbered Cases	<u>90</u>	<u>49</u>	<u>36</u>	<u>48</u>	<u>223</u>
TOTAL MOTIONS TERM'D	261	166	114	213	754
<b>Motions Pending:</b>					
Numbered Cases	91	42	43	81	257
Extensions of Time	24	3	5	6	38
Unnumbered Cases	<u>56</u>	<u>21</u>	<u>10</u>	<u>8</u>	<u>95</u>
TOTAL MOTIONS PENDING	171	66	58	95	390
<b>Opins. Circulating</b>	6	12	8	14	40
<b>Opins. Approved but not Released</b>	0	3	11	0	14
	<b>I</b>	<b>II</b>	<b>III</b>	<b>IV</b>	<b>TOTAL</b>
<b>Pet. for Bypass Filed</b>	<u>1</u>	<u>1</u>	<u>0</u>	<u>1</u>	<u>3</u>
Civil	0	1	0	1	2
Criminal	1	0	0	0	1
<b>Certifications Filed</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Civil	0	0	0	0	0
Criminal	0	0	0	0	0
<b>Pet. for Review Filed</b>	<u>37</u>	<u>16</u>	<u>10</u>	<u>19</u>	<u>82</u>
Civil	19	7	4	13	43
Criminal	18	9	6	6	39

## Status of Pending Cases as of July 31, 2004:

APPELLATE DISTRICT	I	II	III	IV	TOTAL
Awaiting Record	<u>151</u>	<u>63</u>	<u>61</u>	<u>82</u>	<u>357</u>
Civil	56	39	36	44	175
Criminal	95	24	25	38	182
Applt. Brief Due	<u>79</u>	<u>69</u>	<u>41</u>	<u>63</u>	<u>252</u>
Civil	38	38	19	44	139
Criminal	41	31	22	19	113
Applt. Brief Overdue	<u>2</u>	<u>0</u>	<u>3</u>	<u>0</u>	<u>5</u>
Civil	1	0	0	0	1
Criminal	1	0	3	0	4
Respt. Brief Due	<u>48</u>	<u>45</u>	<u>33</u>	<u>39</u>	<u>165</u>
Civil	24	21	19	27	91
Criminal	24	24	14	12	74
Respt. Brief Overdue	<u>0</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>1</u>
Civil	0	0	0	0	0
Criminal	0	0	1	0	1
Other Brief Due	<u>0</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>1</u>
Civil	0	0	1	0	1
Criminal	0	0	0	0	0
Reply Brief Due	<u>17</u>	<u>25</u>	<u>17</u>	<u>26</u>	<u>85</u>
Civil	8	14	14	17	53
Criminal	9	11	3	9	32
Cases W/Motions or Writs Pending	<u>113</u>	<u>45</u>	<u>54</u>	<u>56</u>	<u>268</u>
Civil	56	32	30	48	166
Criminal	57	13	24	8	102
Ready for Screening	<u>76</u>	<u>113</u>	<u>50</u>	<u>72</u>	<u>311</u>
Civil	43	73	32	53	201
Criminal	33	40	18	19	110
Assigned for Oral Arg.	<u>0</u>	<u>2</u>	<u>0</u>	<u>0</u>	<u>2</u>
Civil	0	2	0	0	2
Criminal	0	0	0	0	0
Under Submission	<u>155</u>	<u>93</u>	<u>84</u>	<u>187</u>	<u>519</u>
Civil	27	42	32	83	184
Civil/FT	0	3	4	0	7
Criminal	128	48	48	104	328
Criminal/FT	0	0	0	0	0
No Merit & Awaiting NM	<u>66</u>	<u>23</u>	<u>24</u>	<u>35</u>	<u>148</u>
Civil	1	0	1	0	2
Criminal	65	23	23	35	146
HOLD Status	<u>2</u>	<u>8</u>	<u>10</u>	<u>7</u>	<u>27</u>
Civil	2	6	8	6	22
Criminal	0	2	2	1	5
<b>TOTAL CASES PENDING</b>	<u>709</u>	<u>486</u>	<u>379</u>	<u>567</u>	<u>2141</u>
Civil	256	270	196	322	1044
Criminal	453	216	183	245	1097

## **Wisconsin Court of Appeals**

### **Explanation of Termination Categories**

#### **OPINIONS**

Includes three-judge and one-judge authored opinions and per curiam opinions. All per curiam opinions are assigned to a supervising judge who has the responsibility for approval of the final draft of the opinion after circulation to the panel.

#### **SUMMARY DISPOSITIONS**

Includes opinions issued in the form of a court order after the court has reviewed the briefs and record, and following a screening and decision conference(s). All dispositions in this category are assigned to a supervising judge who is responsible for approval of the final draft of the opinion after circulation to the panel.

#### **MEMO OPINIONS**

Includes opinions issued in the form of a court order prior to a screening and decision conference(s). Examples of memo opinions are: jurisdictional terminations; petitions for writs denied or granted if the order terminates the action; petitions for leave to appeal that are denied; summary disposition of unscreened cases – usually upon a motion; motions to dismiss on the merits that are granted; transfers to circuit court; any other miscellaneous termination of an appeal in which judicial time is expended and a full explication of reasoning is set forth.

#### **OTHER**

Includes miscellaneous orders terminating cases that are issued by the Clerk's Office. Examples of miscellaneous orders are: voluntary dismissals; stipulations to dismiss; failure of an appellant to submit filing fee information.

**Please Note:** Case filings are counted according to the district of origin and tracked through the appellate process in the filing district. Terminations, however, are counted in the district that issued the opinion. For example, a case filed in District IV, but transferred to District III, will be counted as a pending case in District IV until the opinion is issued when adjustments will be made to reflect the termination by District III. In this example, the District III termination will result in one less case pending in District IV.

Page 2 of the Monthly Statistical Report reflects how many cases terminated by a particular district are transfer cases. Page 4 of the report reflects the current status of transfer cases.